

PROCESS FOR HIRING MSRC *FOR THE COTP/FOSC*
(IN THE PERFECT WORLD AND DURING NORMAL WORKING
HOURS):

The responding Sector/Unit must:

1. COTP/FOSC must make a written declaration to the Contracting Officer. COTP assumes all liabilities from RP once declaration is signed. (template last page)
2. Contact the cognizant KO to notify them that the COTP/FOSC is making this declaration
3. The initial ATP must be under \$1M or Congressional Notification is required which will delay the ATP by 5 days. If over \$500K, seek legal review after the fact, not to halt/slow up response time.
4. MSRC requires an ATP with a cost estimate of 14 days worth of work.
5. Once the KO is notified of the intent to make the required declaration the KO will give permission for the Sector/Unit to contact MSRC local response manager to determine the response level required and/or duration. MSRC will need time to determine what's available and prepare and submit a proposal. The proposal needs to be submitted to the Sector and the KO.
6. Simultaneously, the KO will be contacting MSRC's general council to notify them that there is a situation and the Coast Guard unit is contacting the local MSRC local response manager. If the proposal is submitted over \$1M, the KO will negotiate as necessary and give MSRC the verbal authorization to proceed. The COTP/ FOSC is not authorized to issue an ATP to MSRC.
7. The unit is required submit an ICS-213rr identifying the need to hire MSRC, identify what they will be doing and establish a initial ceiling under \$1M and provide the MSRC quote as an attachment. (The 213rr takes the place of the ATP message).
 - a. If the unit does not want to wait for the proposal, they may submit the 213rr with the description of work required and estimate a ceiling which can be revised after the proposal is received.
6. Process any changes to the initial ATP/order through the responding KO.

DECLARATION OF SUBSTANTIAL THREAT

Date: 23 March 2019

FROM: (a) CAPTAIN OF THE PORT, Kevin D. Oditt

(b) ENVIRONMENTAL PROTECTION AGENCY ON SCENE COORDINATOR, Adam Adams

TO: CONTRACTING OFFICER

SUBJECT: 2nd 80's Fire

1. I am an active duty member of the U.S. Coast Guard assigned to SECTOR Houston-Galveston working with the Mr. Adam Adams, who is employed by the Environmental Protection Agency.
2. I concur in all of the actions taken by my staff and the Environmental Protection Agency retains the role of the Lead Federal On Scene Coordinator (FOSC) and the Captain of the Port will provide assistance as a Federal On Scene Coordinator under the provisions of the National Contingency Plan.
3. For Federal Case N19045, I as the FOSC determined that the discharge was of such as size or character as to be a substantial threat to the public health or welfare of the United States. This case has resulted in a request to have emergency response contractors conduct assessments and recovery of a discharge of oil.